

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
SOUTHERN DIVISION**

MICHAEL HARRIS, individually and on behalf of all others similarly situated,

Plaintiff,

v.

LEE UNIVERSITY,

Defendant.

CHRISTOPHER VAUGHT, individually and on behalf of all others similarly situated

Plaintiff,

v.

LEE UNIVERSITY,

Defendant.

LUCRESIA CAMPBELL, individually and on behalf of all others similarly situated,

Plaintiff,

v.

LEE UNIVERSITY,

Defendant.

CALEB NABORS, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

LEE UNIVERSITY,

Defendant.

KATELYN BUTLER, individually and on behalf of all others similarly situated,

Case No. 1:25-cv-00107

Case No. 1:25-cv-00108

Case No. 1:25-cv-00109

Case No. 1:25-cv-00113

Plaintiff, v. LEE UNIVERSITY, <u>Defendant.</u>	Case No. 1:25-cv-00114
BRITTANY KUBBA, individually and on behalf of all others similarly situated,	
Plaintiff, v. LEE UNIVERSITY, <u>Defendant.</u>	Case No. 1:25-cv-00118
DENNIS GOODINE, individually and on behalf of all others similarly situated,	
Plaintiff, v. LEE UNIVERSITY, <u>Defendant.</u>	Case No. 1:25-cv-00125

[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION TO CONSOLIDATE AND FOR APPOINTMENT OF INTERI LEAD CLASS COUNSEL

THIS MATTER, comes before the Court by the Plaintiffs in the above-captioned cases by their Motion, seeking to (1) consolidate the above-captioned Related Actions pursuant to FED. R. CIV. P. 42(a) and (2) appoint Andrew J. Shamis of Shamis & Gentile, P.A. ("Shamis & Gentile") and J. Gerard Stranch, IV, of Stranch, Jennings & Garvey, PLLC ("SJC") pursuant to FED. R. CIV. P. 23(g)(3). Accordingly, the Court, having read the papers and for good cause shown, exercises its discretion pursuant to Federal Rule of Civil Procedure 42(a)(2) to consolidate these actions. **IT IS ORDERED** that the Motion is **GRANTED** as set forth below:

1. The following cases are hereby consolidated:
 - A. *Harris v. Lee University*, No. 1:25-cv-00107 (filed on April 1, 2025);
 - B. *Vaught v. Lee University*, No. 1:25-cv-00108 (filed on April 1, 2025);
 - C. *Campbell v. Lee University*, No. 1:25-cv-00109 (filed April 1, 2025);
 - D. *Nabors v. Lee University*, No. 1:25-cv-00113 (filed April 3, 2025);
 - E. *Butler v. Lee University*, No. 1:25-cv-00114 (filed April 4, 2025);
 - F. *Kubba v. Lee University*, No. 1:25-cv-00118 (filed April 7, 2025); and
 - G. *Goodine v. Lee University*, No. 1:25-cv-00125 (filed April 11, 2025).

(collectively, the “Related Actions”) pursuant to Fed. R. Civ. P. 42(a) (the “Consolidated Action”).

2. The Clerk of Court is DIRECTED to administratively close *Vaught v. Lee University*, No. 1:25-cv-00108, *Vaught v. Lee University*, No. 1:25-cv-00108, *Campbell v. Lee University*, No. 1:25-cv-00109, *Nabors v. Lee University*, No. 1:25-cv-00113, *Butler v. Lee University*, No. 1:25-cv-00114, *Kubba v. Lee University*, No. 1:25-cv-00118, *Goodine v. Lee University*, No. 1:25-cv-00125. The Clerk of Court is FURTHER DIRECTED to transfer all documents already docketed in those Related Actions into the Consolidated Action.

3. All papers filed in the Consolidated Action shall be filed under the lead case number 1:25-cv-00107, the number assigned to the first-filed case, *Harris*, and shall bear the following caption:

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
SOUTHERN DIVISION**

IN RE LEE UNIVERSITY DATA BREACH
LITIGATION

Master File No. 1:25-cv-00107

This Document Relates To:

4. The case file for the Consolidated Action will be maintained under Master File No. 1:25-cv-00107. When a pleading is intended to apply to all Actions to which this Order applies, the words “ALL ACTIONS” shall appear immediately after the words “This Document Relates To:” in the caption. When a pleading is not intended to apply to all Actions, the docket number for each individual Action to which the paper is intended to apply and the last name of the first-named plaintiff in said action shall appear immediately after the words: “This Document Relates To:” in the caption (*e.g.*, “No. 1:25-cv-00107”).

5. All papers previously filed and served to date in the Related Actions are deemed part of the record in the Consolidated Action.

6. Pursuant to Fed. R. Civ. P. 23(g), the Court hereby appoints Andrew J. Shamis of Shamis & Gentile, P.A., and J. Gerard Stranch, IV, of Stranch, Jennings & Garvey, PLLC as Interim Co-Lead Class Counsel to act on behalf of the Plaintiffs and the class members in the Consolidated Action, with the responsibilities set forth below:

- Establish and maintain a depository for orders, pleadings, hearing transcripts, and all documents served upon plaintiffs’ counsel, and make such papers available to plaintiffs’ counsel upon reasonable request;
- Coordinate the initiation and conduct of discovery on behalf of all plaintiffs consistent with the requirements of the Federal Rules of Civil Procedure relating to discovery or any other subsequent order of this Court;
- Designate counsel to schedule depositions, set agendas and otherwise interact with defense counsel, various plaintiffs’ counsel, and the settlement master (if one is appointed);
- Determine and present (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the Court and opposing parties the position of the plaintiffs on all matters arising during pretrial proceedings;
- Conduct settlement negotiations on behalf of plaintiffs, but not enter binding agreements except to the extent expressly authorized;

- Delegate specific tasks to other counsel in a matter to ensure that pretrial preparation for the plaintiffs is conducted effectively, efficiently, and economically;
- Enter into stipulations, with opposing counsel, necessary for the conduct of the litigation;
- Prepare and distribute periodic status reports to the parties;
- Maintain adequate time and disbursement records covering service of designated counsel and enforce guidelines approved by the Court as to the keeping of time records and expenses;
- Monitor the activities of co-counsel to ensure that schedules are met and unnecessary expenditures of time and funds are avoided;
- Perform such other duties as may be incidental to proper coordination of the plaintiffs' pretrial activities or authorized by further order of the Court; and
- Submit, if appropriate, suggestions for establishing additional committees and counsel for designation by the Court.

7. Any additional plaintiffs' counsel will do all work in this litigation only at the direction of Interim Co-Lead Class Counsel. No motion, request for discovery, or other pretrial proceedings shall be initiated or filed by any Plaintiff except through Interim Co-Lead Class Counsel and no other Plaintiffs' counsel or firm shall be authorized to perform any work in the case without the express authorization of Interim Co-Lead Class Counsel.

8. Interim Co-Lead Class Counsel shall have sole authority to communicate with Defendants' counsel and the Court on behalf of any Plaintiff unless that authority is expressly delegated to other counsel. Defendants' counsel may rely on all agreements made with Interim Co-Lead Class Counsel, and such agreements shall be binding on all other Plaintiffs' counsel.

9. Interim Co-Lead Class Counsel must serve a copy of this Order and all future orders promptly by overnight delivery service, facsimile, or other expeditious electronic means on counsel for Plaintiffs in any related action to the extent that Interim Co-Lead Class Counsel are

aware of any such action(s) and on all attorneys for Plaintiffs whose cases may subsequently be consolidated with the above actions but who have not yet registered for ECF.

10. Plaintiffs in the Consolidated Action shall file an operative Consolidated Class Action Complaint within thirty (30) days of this Order. Defendant need not respond to any of the initial complaints filed in the Related Actions.

11. This Order shall apply to any action filed in, transferred to, or removed to this Court which relates to the subject matter at issue in this case.

IT IS SO ORDERED.

Dated: _____, 2025
